

Agenda Item Form

Agenda Date: 06/29/04

Districts Affected: All

Dept. Head/Contact Information: Human Resources, Terry Bond, (915) 541-4509

Type of Agenda Item:

- | | | |
|---|---|---|
| <input type="checkbox"/> Resolution | <input type="checkbox"/> Staffing Table Changes | <input type="checkbox"/> Board Appointments |
| <input type="checkbox"/> Tax Installment Agreements | <input type="checkbox"/> Tax Refunds | <input type="checkbox"/> Donations |
| <input type="checkbox"/> RFP/ BID/ Best Value Procurement | <input type="checkbox"/> Budget Transfer | <input type="checkbox"/> Item Placed by Citizen |
| <input type="checkbox"/> Application for Facility Use | <input type="checkbox"/> Bldg. Permits/Inspection | <input checked="" type="checkbox"/> Introduction of Ordinance |
| <input type="checkbox"/> Interlocal Agreements | <input type="checkbox"/> Contract/Lease Agreement | <input type="checkbox"/> Grant Application |
| <input type="checkbox"/> Other _____ | | |

Funding Source:

- ☐ General Fund
☐ Grant (duration of funds: _____ Months)
☒ Other Source: N/A

Legal:

- ☒ Legal Review Required Attorney Assigned (please scroll down): Lupe Cuellar ☒ Approved ☐ Denied

Timeline Priority: ☒ High ☐ Medium ☐ Low # of days: _____

Why is this item necessary:

After review by the Civil Service Commission and approval on 06/10/04, this amendment would clarify the language as its relates to ex-parte communication.

Explain Costs, including ongoing maintenance and operating expenditures, or Cost Savings:

None

Statutory or Citizen Concerns:

None Anticipated

Departmental Concerns:

None Anticipated

61 11 04 42 183 1932
INVENTOR: J. H. C. 1110

**AN ORDINANCE AMENDING ORDINANCE 8065, CIVIL SERVICE RULES
AND REGULATIONS, RULE 21, EX-PARTE COMMUNICATIONS, TO
CHANGE THE RESTRICTIONS PLACED ON EX-PARTE
COMMUNICATIONS**

WHEREAS, the Civil Service Commission is given the authority under Section 6.1-5(A) of the City Charter to recommend amendments to the City's Civil Service Rules; and,

WHEREAS, the City Council is the approving authority for amendments to the Civil Service Rules; therefore, the Civil Service Commission presented their recommended changes to City Council; and,

WHEREAS, both the Civil Service Commission and the City Council have determined that Civil Service Rules should be amended by changing Rule 21, Ex-Parte Communications, as it relates to the responsibility of ex parte communications,

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE
CITY OF EL PASO:**

1. That Ordinance 8065, Civil Service Rules and Regulations, Rule 21, Ex-Parte Communications, as it relates to when ex-parte communications can be engaged in, is amended as follows:

RULE 21, Ex Parte Communications

Commissioners or hearing officers, may not initiate, permit, or consider ex parte communications or other communications to be made outside the presence of the parties, concerning the merits of a pending complaint or appeal. Pending is defined as a complaint or appeal that Commissioners or Hearing Officers know has been filed or should reasonably foresee will be filed. Commissioners or hearing officers shall not participate in rendering the decision in a case where they have participated in the case in an advocacy role. This Rule does not prohibit either the Commission or hearing officer from communicating with the legal advisor to the Commission.

PASSED AND APPROVED this 13th day of July 2004.

THE CITY OF EL PASO

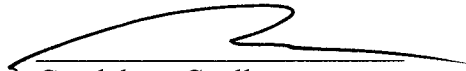
Joe Wardy
Mayor

ATTEST:

Richarda Duffy Momsen
City Clerk

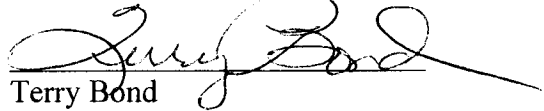
SIGNATURES CONTINUE ON FOLLOWING PAGE

APPROVED AS TO FORM:




Guadalupe Cuellar
Deputy City Attorney

APPROVED AS TO CONTENT:



Terry Bond
Human Resources Director

APPROVED BY THE CIVIL SERVICE COMMISSION ON JUNE 10, 2004.

By 
SECRETARY